

NEC MINUTES

**National Executive Committee
Meeting Minutes
14-15 November 2003**



Tampa FL

14-15 November 2003

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OPEN SESSION

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ATTEST:

OFFICIAL:

J. ROCK PALERMO, III
Colonel, CAP
National Legal Officer

RICHARD L. BOWLING
Major General, CAP
National Commander

Civil Air Patrol
National Executive Committee Minutes
14-15 November 2003
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OPEN SESSION

CALL TO ORDER.....Maj Gen Richard L. Bowling, CAP
INVOCATIONCh, Col James H. Melancon, CAP
PLEDGE OF ALLEGIANCECol Larry D. Kauffman, CAP
SAFETY PLEDGEBrig Gen Dwight H. Wheless, CAP
ROLL CALLMr. Al Allenback, HQ CAP/EX

OPENING REMARKSMaj Gen Richard L. Bowling, CAP
.....Mr. Al Allenback, HQ CAP/EX
.....Col George Vogt, USAF
SAFETY BRIEFING.....Mr. Gary Woodsmall, HQ CAP/SE

NATIONAL EXECUTIVE COMMITTEE

Maj Gen Richard L. Bowling, CAP National Commander
Brig Gen Dwight H. Wheless, CAP National Vice Commander
Col George Vogt, USAF..... Senior AF Advisor
Col Larry D. Kauffman, CAP National Chief of Staff
Col Donald B. Angel, CAP National Finance Officer
Col Rock Palermo, CAP..... National Legal Officer
Col Joseph C. Meighan, Jr., CAP National Controller
Col Richard A. Greenhut, CAP Northeast Region Commander
Col Charles S. Glass, CAP Middle East Region Commander
Col William W. Webb, CAP Great Lakes Region Commander
Col Antonio J. Pineda, CAP Southeast Region Commander
Col Rex Glasgow, CAP North Central Region Commander
Col Thomas L. Todd, CAP Southwest Region Commander
Col Lynda C. Robinson, CAP Rocky Mountain Region Commander
Col Merle V. Starr, CAP (Interim)..... Pacific Region Commander

Non-voting members:

Col William S. Charles, CAP..... CAP Insp. General
Ch, Col James H. Melancon, CAPChief Chaplain Services

OTHER CORPORATE OFFICIALS

Mr. Al Allenback	Executive Director
Mr. Don R. Rowland	Senior Director, Strategic Comm. & Plans
Mr. Paul J. Capicik	Chief Information Officer
Mr. James L. Mallett	Director, Leadership Dev. & Membership Services
Ms. Susan Easter	Chief Financial Officer
Mr. John A. Salvador	Director, Operations
Mr. Mike Stewart	Director, Logistics & Mission Support
Mr. Stanley Leibowitz	General Counsel
Ms. Susie Parker	Deputy Director Membership Services

AGENDA ITEM - 1

LG

Action

**SUBJECT: Ratification of Regulations
CAP/CS – Col Kauffman**

INFORMATION BACKGROUND:

New Constitution Article XX became effective 27 Feb 01. This provision requires that in the normal course of events regulations shall be adopted and maintained by the National Commander and shall be ratified by a majority vote of the National Board. These regulations have been staffed at National Headquarters and are in coordination at CAP-USAF.

The below regulations will be sent in a separate package.

The following regulations are up for ratification:

<u>Number</u>	<u>Title</u>	<u>Remarks</u>
CAPR 39-2	Civil Air Patrol Membership	
CAPR 60-3	ES Training & Operational Mission	
CAPR 60-5	Critical Incident Stress Management	

PROPOSED NEC ACTION:

That the NEC vote to ratify the proposed regulations.

ESTIMATED FUNDING IMPACT:

Cost of printing and distribution.

REGULATIONS AND FORMS AFFECTED:

All of the above.

COMMITTEE RECOMMENDATION:

None.

NEC ACTION:

CAPR 39-2, Civil Air Patrol Membership

COL PINEDA/SER moved and COL TODD/SWR seconded that the NEC vote to ratify CAPR 39-2.

MOTION CARRIED WITH NO DISSENTING VOTES

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FOLLOW-ON ACTION: Printing and distribution to the field.

CAPR 60-3, *ES Training & Operational Mission*

This regulation was deferred due to the receipt of additional comments from HQ CAP-USA and the need for it to be posted on the web for additional review and comment.

FOLLOW-ON ACTION: Inclusion in winter 2004 National Board agenda for ratification.

CAPR 60-5, *Critical Incident Stress Management*

This regulation was deferred because it is being reviewed by the Air Force for legal implications as far as liability for members when they are performing critical incident stress management.

FOLLOW-ON ACTION: Inclusion in a future agenda for ratification.

AGENDA ITEM - 2

XP

Action

**SUBJECT: FY06-10 CAP POM
HQ CAP/EX – Mr. Allenback**

INFORMATION BACKGROUND:

Each year the November NEC has reviewed CAP's proposed, Program Objective Memorandum (POM) submission. Air University, our input level, typically begins their review in December so this is our opportunity to review our submission, identify potential deficiencies in funding and validate new requirements as submitted to Air University.

Results of the FY05 amended POM (APOM) will be briefed. The APOM is our building block leading to our FY06-10 POM submission.

PROPOSED NEC ACTION:

Recommend approval to the Board of Governors.

ESTIMATED FUNDING IMPACT:

To be determined.

REGULATIONS AND FORMS AFFECTED:

None.

CAP NATIONAL HEADQUARTERS' COMMENTS:

None.

COMMITTEE RECOMMENDATION:

None.

NEC ACTION:

MR. ALLENBACK/EX presented a slide briefing with recommendations (See Atch 1).

The NEC requested detailed figures that went into the development of the POM. The recommendation was deferred until review of the requested information.

Following review of the requested information, BRIG GEN WHELESS/CV moved and COL KAUFFMAN/CS seconded that the NEC vote to recommend approval of the FY06-10 CAP POM and forwarding to the Board of Governors, as amended for actual projected cost of aircraft.

MOTION CARRIED WITH NO DISSENTING VOTES

FOLLOW-ON ACTION: Staff amendment of the POM, as indicated, and inclusion in the Dec 2003 BoG agenda for approval.

AGENDA ITEM - 3

DO

Action

**SUBJECT: Progressive Form 5
DE Wg/CC – Col Opland**

INFORMATION BACKGROUND:

Recent CAP accident experience suggests that the Form 5 check ride, as it is currently administered, may not be sufficient to assure that CAP flight operations are conducted as safely as possible. Data from the FAA show that recurrent training is more effective at preventing accidents than flight evaluations such as the Biennial Flight Review (BFR). This has led the FAA to allow the training-centered Wings Program to be substituted for the BFR. In fact, the FAA is so committed to the Wings Program that it allows flight instructors to renew their instructor ratings based on endorsing the Wings card for 5 pilots. Aircraft insurers also recognize the value of recurrent training. Many insurers provide an incentive to pilots by reducing premiums for participants in the Wings Program.

A similar logic may be applied to the Form 5 flight check. At present there is no formal recurrent training program in CAP. This proposal would establish a recurrent training program in CAP and tie it to the Form 5 requirement much as the FAA has tied the Wings Program to the BFR.

A new paragraph would be added to CAPR 60-1, section 3-5, *CAPF 5 Flight Checks*. This paragraph would allow pilots to elect a “progressive Form 5” in lieu of the annual Form 5 flight check. There are two main differences from the current CAP flight check system: the check would involve at least 3 hours of recurrent training each year in place of a single evaluation flight, and the flight check would be conducted in a training environment rather than as a non-training evaluation of flight skills. Otherwise, all Form 5 requirements would be met, and the same maneuvers would be demonstrated in a satisfactory manner. The main effect of this change would be to provide an incentive for more recurrent training by CAP pilots. Rather than simply testing pilots and watching their skills degrade until they can no longer pass the Form 5, the check pilot would have the opportunity to actively improve the flight skills of the CAP pilots.

This concept was discussed at the recent MER Stan/Eval meeting and the participants felt it worthy of further consideration. The details are self-explanatory in the proposed revision to CAPR 60-1, below. Note that there would be no decrease in the skill requirements for CAP pilots. Since the aviation insurers have already endorsed the FAA Wings Program, there should be no problem in obtaining acceptance from CAP’s insurance carrier.

PROPOSED NEC ACTION:

The NEC approve the following change to CAP Regulation 60-1, section 3-5, *CAPF 5 Flight Checks*:

k. After an initial Form 5 flight check has been completed in each aircraft the pilot is authorized to fly, subsequent annual flight checks may be accomplished by completing

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a "progressive flight check" modeled on the FAA Wings program. The pilot may substitute all of the following for the annual Form 5 flight check:

1. Attend at least one CAP flight clinic within the last calendar year.
2. Complete at least three hours of instructional flight with a CAP check pilot within the last calendar year. These three hours (minimum) shall consist of one hour of takeoff and landings; one hour of air work including stalls, slow flight and unusual attitudes; and one hour of simulated instrument flight. For an instrument rated pilot wishing CAP instrument flight privileges, the instrument flight shall include holds, course interception, unusual attitudes and at least two different types of instrument approach under simulated IMC.
3. Complete the Form 5 annual written exam that is current at the time the "progressive Form 5" is completed.
4. Complete the aircraft questionnaire for all aircraft to be flown on CAP business.
5. Fulfill all other qualifications required for the Form 5, including current medical, current CAP membership, current BFR (or FAA Wings Program completion) and FAA currency to fly the category and class of aircraft being used.

These three hours (minimum) of flight instruction shall include satisfactory completion of the same maneuvers normally required in a Form 5 flight review. After each session, the check pilot will mark on a CAP Form 5 each maneuver completed in a satisfactory manner. Upon completion of all maneuvers normally required in a Form 5, the Form then becomes the pilot's Form 5 for that year, and is dated as of the date all the required maneuvers were successfully completed. This must be accomplished within one calendar year.

The pilot may then immediately begin work on the next year's "progressive form 5," or may elect to complete a normal CAP Form 5 flight check within 12 calendar months.

The "progressive Form 5" is instructional. It is intended to assure that the CAP pilot has the necessary skills to fly CAP aircraft through recurrent training. It may qualify the pilot for a phase of the FAA Wings Program. While the pilot must demonstrate satisfactory flight skills according to the appropriate PTS, it is the intention to place the demonstration of those skills in a training setting rather than a more threatening evaluation setting, and to correct problems through training before they threaten flight safety.

The restrictions in paragraph c. above, regarding use of the same check pilot in subsequent years applies. However, in order to provide documentation comparable to a normal Form 5, the "progressive Form 5" must be conducted with the single check pilot who signs the Form 5. The check pilot will execute the Form 5 as if it were a normal Form 5 flight review accomplished on the date of the last flight. This will only be after all required maneuvers are completed in a satisfactory manner over the course of the year. Under "comments" the check pilot will enter the date of each instructional flight and the words "progressive flight check." Endorsement of the Form 5 by the unit commander is required, as it is for a normal Form 5 flight review.

ESTIMATED FUNDING IMPACT:

This proposal would increase the instructional flight time of CAP pilots. Since this proposal is an option to be chosen by the pilot, not required by CAP, the current funding level for Form 5 flights could be continued and the additional flight time paid by the member, or in conjunction with other current formal CAP training events. This would make the cost to CAP very small or

zero depending on the rate the pilots pay for training flight time. (Some wings may choose to subsidize recurrent training flights.)

REGULATIONS AND FORMS AFFECTED:

CAP Regulation 60-1, *CAP Flight Management*

CAP NATIONAL HEADQUARTERS' COMMENTS:

Concur with the following recommendations:

The Form 5 is part of CAP's justification for our exemption for private pilot reimbursement under FAR 61.113(e) and would require 30-day notification to the FAA if we change the policy. The annual Form 5 is also a requirement stipulated by the Air Force so the Air Force will have to approve this change. If properly administered, the progressive Form 5 could improve proficiency and enhance flight safety. If approved, the CAP flight clinic requirement should include full completion of both the ground and flight phases. Suggest that the description of the time for completion of the progressive Form 5 be changed from "one calendar year" to "the preceding 12 calendar months". Check pilots should still be responsible for noting and reporting areas that need improvement for trend analysis purposes. Election of this option as stated might be limited by the availability of check pilots who can provide continuity throughout the three flight hours required.

COMMITTEE RECOMMENDATION:

The Operations committee is currently reviewing this agenda item.

NEC ACTION:

COL GLASS/MER moved and COL WEBB/GLR seconded that the NEC vote to approve the PROPOSED NEC ACTION

COL WEBB/GLR moved a friendly amendment (later stated as a substitute motion) and COL GLASS/MER seconded that the NEC direct the Operations Committee, in coordination with HQ CAP/DO, to develop a proposal for the National Board that would allow the Form 5 check ride to be taken progressively and that the 3-hour FAA Wing's Program training be incorporated into that Form 5 process.

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NOTE: There was discussion as to whether the GLR proposal would constitute a friendly amendment or a substitute motion. The chair did not recognize it as either, but entertained more discussion. The chair stated that the NEC could vote the motion up or down, amend it, or it could be tabled and the chair direct that the Operations Committee take this item for further development for future presentation. A lengthy discussion continued.

COL PINEDA/SER moved and COL TODD/SWR seconded a motion to call for the question.

MOTION CARRIED

The chair stated that the question of whether to adopt the substitute motion for discussion was before the NEC.

MOTION TO PLACE THE SUBSTITUTE MOTION ON THE TABLE DID NOT PASS

ORIGINAL MOTION FAILED WITH NO ASSENTING VOTES

FOLLOW-ON ACTION: BRIG GEN WHELESS/CV asked the Chairman of the Operations Committee to (a) take into consideration all the discussion and the support for the various proposals, (b) ask the committee to devise a proposal that addresses those concerns, and (c) report back at the earliest convenience.

AGENDA ITEM - 4

EX

Action

**SUBJECT: Safety Education
DE Wg/CC – Col Opland**

INFORMATION BACKGROUND:

CAPR 62-1, *Civil Air Patrol Safety Responsibilities and Procedures*, section 2.b. requires Safety Education in three forms: (1) Safety Meetings; (2) Monthly Activity Reports; (3) Posters and Accident Prevention Material.

Section (1), requires that “Ground and flying safety information will be briefed at unit meetings ... at least monthly. In units with pilots and an active flying mission, the monthly “Safety” bulletin published by the National Headquarters Director of Safety will be briefed to all personnel. ... A roster of the individuals who attended the safety briefings will be maintained. Summaries of safety material presented will be made available for review by those personnel not in attendance, that is, bulletin or reading file. All personnel not present at the safety meeting must read and initial these summaries.”

Section (2) requires submission of reports from the wing to the region.

Section (3) requires a unit bulletin board.

As was recently demonstrated during the National Commander’s Sights on Safety competition, our members are extraordinarily creative when given some latitude. These regulatory requirements dictating how safety education is to be accomplished are stifling. Maintaining required rosters, following up with absent individuals, creating summaries, maintaining a reading file, and ensuring each individual initial the summaries are extraordinarily burdensome tasks in the realistic environments faced by many units.

Units should be mandated to conduct safety training, but not dictated as to how. For example, technological advances since this regulation was published (1 Mar 1991) now allow the NHQ Safety Bulletin to be published electronically, and made available to all members via the national website. This Bulletin is also mailed to every unit. NHQ has many members’ e-mail addresses online. Many wings have e-mail lists for their members, and thriving websites. In lieu of the above requirements, the NHQ Safety Bulletin could be distributed electronically to all members, and wings could be permitted to perform safety briefings electronically, either via e-mail, or via websites with sign-ons (for automated tracking of participation). Computer programs such as King School’s *Practical Risk Management*, and GPS simulators are available. NHQ has recognized the need for a formalized flying education for our members through the establishment of the Training Section in Operations.

PROPOSED NEC ACTION:

Part One: The NEC request the Executive Director to either (a) incorporate the NHQ Safety Bulletin in the forthcoming electronic newsletter to all members, or (b) create a standalone, HTML (or similar) safety newsletter for distribution to all members electronically. This would eliminate the existing requirement to brief the Bulletin at unit meetings.

Part Two: The NEC replace CAPR 62-1, section 2.b in its entirety as follows:

b. Safety Education. All units will create a formal safety education program. This program will include coverage of ground and flying safety issues, with new material provided at least monthly. All current CAP pilots will receive flying safety information at least monthly. Suggested topics are included in Attachment 2. Use of external sources for safety information, such as the local FAA Safety Program Manager, the National Safety Council, or Air Force safety personnel, is strongly encouraged. Electronic delivery and distribution is encouraged. All electronic safety communications sent by a unit will be copied (electronically) to the next higher headquarters' Safety Officer. If materials are not distributed or available electronically, the unit will retain paper copies for at least 12 months. Pilots without e-mail or internet access will be required to review paper copies, and initial a roster indicating they have met this requirement at least monthly.

ESTIMATED FUNDING IMPACT:

Development of electronic newsletter by NHQ.

CAP NATIONAL HEADQUARTERS' COMMENTS:

A primary objective of the CAP safety program is to ensure that all members receive critical safety information in a timely manner. There is risk in diluting the requirements of CAPR 62-1. To rely solely on e-mailed safety meeting informative and *Sentinel* distribution would not guarantee complete participation and accountability. Many members do not have e-mail accounts or change Internet Service Providers frequently. Unit commanders should be responsible for ensuring full participation and documentation. The *Sentinel* is currently available on the web and is available via opt in email list for any member.

The monthly safety meeting is an integral part of the CAP safety program and a contributing factor to our accident statistics. Our accident statistics are generally better than the general aviation statistics and are comparable to AF Aero Club statistics.

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Comparison of Aircraft Accident Rates
(rate = number of aircraft accidents per 100,000 flying hours)

	<u>1993</u>	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>
General Aviation	9.05	9.11	8.72	8.06	7.51	7.12	7.05	6.33	6.56	6.56
AF Aero Clubs	4.36	3.11	1.80	3.00	0.00	4.39	3.90	4.08	3.01	1.10
Civil Air Patrol	3.08	2.30	3.84	7.79	4.16	4.76	2.34	0.94	3.57	7.37
Air Force	1.34	1.50	1.44	1.25	1.38	1.13	1.14	1.08	1.16	1.62

AF Aero Club members are required to attend monthly safety meetings. While they are allowed to miss a single meeting, they are required to review all the material discussed at the meeting and to sign off a Pilot Information File. Missing two consecutive meetings grounds an AF Aero Club member until he/she attends the next scheduled meeting.

These rates are reviewed by our insurance underwriters and, in part, help justify our FAA exemptions. Eliminating the requirement for documented monthly safety meetings, at least for the CAP pilot community, may have a detrimental effect on future insurance premiums. Further, condition 6 of our FAA exemption to Federal Aviation Regulation 61.113(e) requires CAP to inform the FAA Administrator of any changes to CAP regulations that may have an effect on this exemption at least 30 days before the change. Since the exemption is, in part, based on our favorable safety record, the proposed change would have to be given to the FAA Administrator at least 30 days prior to its effective date.

COMMITTEE RECOMMENDATION:

The Operations committee is currently reviewing this agenda item.

REGULATIONS AND FORMS AFFECTED:

CAPR 62-1, *Civil Air Patrol Safety Responsibilities and Procedures*

NEC ACTION:

COL GLASS/MER moved and COL GREENHUT/NER seconded that the NEC vote to approve the PROPOSED NEC ACTION

COL GLASS did not accept, as a friendly amendment, a recommendation by the Operations Committee to clarify options to the members in CAPR 62-1, as follows: "That paragraph 2b(1), sentence 6, be changed to read: 'Summaries of safety material presented will be made available for review by those personnel not in attendance.' Deleting, 'that is, bulletin board or reading file.' "

MOTION FAILED WITH NO ASSENTING VOTES

AGENDA ITEM - 5	EX	Action
SUBJECT: Required Supplement to CAPR 62-1 DE Wg/CC – Col Opland		

INFORMATION BACKGROUND:

CAPR 62-1, *Civil Air Patrol Safety Responsibilities and Procedures*, section 1.b requires that all commanders publish a supplement to CAPR 62-1 containing (1) guidelines for the Pilot Proficiency Program; and (2) local policy guidance.

CAPR 62-1, section 8, goes on to stipulate: “A wing supplement to this directive should outline the procedures to be used for determining participants [in the FAA Wings Program] by name. The list of names will be maintained by the wing’s safety officer through the following calendar year and those who completed all six phases prior to the end of the previous year will be maintained as long as they remain active CAP members.”

Rather than have every commander in CAP create a supplement to 62-1, it is more expedient to just stipulate that pilots will report completion of any phase of the Wings program. Given the implementation of MIMS/FMS, which now tracks CAP and FAA aeronautical ratings, certificates, and a host of other flying-related qualifications, it would greatly reduce the burden on the membership to add a field in MIMS/FMS to allow the entry of the most recent phase of the Wings program completed, and the date. This would also update the BFR date, per FAR 61.56, and enable reporting on this information at all levels.

Local policy guidance on safety may still be issued as provided for in CAPR 5-4, *Publications and Blank Forms Management*, (i.e., via policy letter, Operating Instruction, or Supplement, as needed).

PROPOSED NEC ACTION:

The NEC authorize the deletion of the sentence that begins with “Additionally, all commanders will publish a supplement to this regulation ...” from CAPR 62-1, section 1.b, and the replacement of section 8, in its entirety, as follows:

8. Pilot Proficiency Program (PPP). The safety officer will strongly encourage all CAP pilots to participate in the FAA’s Wings Program (reference Advisory Circular 61-91H, *Pilot Proficiency Award Program*). All CAP pilots who complete one or more phases of the Wings Program will enter the most recent level completed, and the date completed in their own MIMS/FMS record within 30 days of completion. Members who complete the first phase of this program will be eligible to wear the PPP patch as authorized by CAPM 39-1, *CAP Uniform Manual*.

ESTIMATED FUNDING IMPACT:

Minimal

CAP NATIONAL HEADQUARTERS' COMMENTS:

MIMS/FMS would be an excellent way to track Pilot Proficiency Program (PPP) participation. Suggest any PPP tracking requirements be added to CAPR 60-1.

COMMITTEE RECOMMENDATION:

The Operations committee is currently reviewing this agenda item.

REGULATIONS AND FORMS AFFECTED:

CAPR 62-1, *Civil Air Patrol Safety Responsibilities and Procedures*

NEC ACTION:

COL GLASS stated that the MIMS Committee agrees with the recommendation and concerns of the Operations Committee. He added that MIMS is not prepared to take on an additional load until procedures, practices, and protocols for MIMS have been completed. COL GLASS recommended that this item be deferred to the Winter 2004 National Board meeting.

BY CONSENT OF THE NEC THIS ITEM WAS DEFERRED TO THE WINTER 2004 NATIONAL BOARD MEETING.

FOLLOW-ON ACTION: Inclusion in the Winter 2004 National Board Agenda.

AGENDA ITEM - 6

LM

Action

**SUBJECT: NCSA Patch Design & Approval Process
NCR/CC – Col Glasgow**

INFORMATION BACKGROUND:

Members who complete a National Cadet Special Activity (NCSA) are authorized to wear a distinctive shoulder patch. For 2004, sixteen types of NCSAs are planned, nine of which have a shoulder patch. Therefore, this summer many cadets may be disappointed if they complete a NCSA and discover that their activity has not been authorized a patch commemorating their accomplishment.

The National Board has established an approval process for the activities themselves [Winter National Board, 2000].

Currently, all patch designs are considered by the Development Committee and then forwarded to the National Board for approval, competing for attention against other more pressing agenda items.

Therefore, the NCSA patch design and approval process needs to contain two elements. First, it should mirror the approval process for the activities themselves. Second, it should include Development Committee oversight of NCSA patches that would be worn on the uniform.

Revising the NCSA patch design and approval process to mirror the process used to approve the NCSAs themselves would yield three benefits: (1) expedite approval for NCSA patches, symbols of accomplishment that are highly-coveted by cadets; (2) ensure the designs are in good taste and consistent with principles of heraldry; and (3) relieve the National Board and National Executive Committee of those routine actions.

PROPOSED NEC ACTION:

The National Executive Committee vote to authorize NCSAs that has been approved according to the guidelines set at the winter 2000 National Board to create a patch for their activity. Patch designs for approved NCSAs will be sent to HQ CAP/LMP and then forwarded to the Development committee for approval. If approved by the Development committee, the patch will be authorized for wear by all graduates and staff of the activity, per CAPM 39-1. To make commanders and the general membership aware of official NCSA patches, HQ CAP/LMP will post all approved designs on the NCSA webpage in the Cadet Programs section at www.cap.gov.

ESTIMATED FUNDING IMPACT:

None directly. Patches will be procured through CAPMart and sold to recoup costs.

REGULATIONS AND FORMS AFFECTED:

CAPM 39-1, *CAP Uniform Manual*.

CAP NATIONAL HEADQUARTERS' COMMENTS:

National Headquarters supports this agenda item.

COMMITTEE RECOMMENDATION:

The Cadet Programs committee and Cadet Advisory Council supports this agenda item.

NEC ACTION:

COL GLASGOW/NCR moved and COL TODD/SWR seconded that the NEC vote to approve the PROPOSED NEC ACTION.

MOTION CARRIED WITH NO DISSENTING VOTES

FOLLOW-ON ACTION: Design the patch and follow the approval process guidelines.

AGENDA ITEM – 7 (Amended)	LM	Action
SUBJECT: Awards for National Activities Staff		
NCR/CC – Col Glasgow		

The original item referenced awards for National Cadet Special activities only. During the NEC, this item was rewritten so that ALL National Special activities would be included.

INFORMATION BACKGROUND:

Volunteers make the National Special Activity Programs possible. Activity staff, especially activity directors, donate countless hours of their time before, during, and after a summer activity. It is not uncommon for these leaders to qualify for a CAP decoration through their service.

Currently, the CAPF 120 request for these individuals is routed to their respective region and wing for approval. This situation requires boards and commanders to judge whether the decorations should be approved when they lack knowledge of the members' performance.

The current process can unnecessarily delay the recognition of volunteers' efforts and often no request is put forward after completion of the event. A streamlined award process for these dedicated volunteers could enable, in some cases, the recipient to receive the award during the activity's banquet or graduation.

PROPOSED NEC ACTION:

That the NEC vote to delegate the authority to approve awards for members participating in national activities. Activity directors shall send completed CAPF 120 to National HQ/LMP recommending personnel of that specific activity. National HQ/LMP shall compile requests and forward to CAP/CC, with recommendations and comments, for approval.

If the CAPF 120 is for a National Cadet Special Activity, CAP/CC may delegate said approval authority to the chair of the National Cadet Committee, if the chair is a member of the NEC.

Approval may be for Commander Commendation, Meritorious Service Awards or an Exceptional Service Award. If an Exceptional Service Award is considered, concurrence by the appropriate region commander (verbally, fax or email) is required. National HQ staff may assist in this communication. National HQ staff will also forward a list of award recipients to the appropriate wing and region commanders.

National HQ staff shall expeditiously assist in coordination, printing and shipping of the approved awards. Activity directors shall allow for processing time and fax or email CAPF 120 as early as possible to facilitate these procedures and shipping.

ESTIMATED FUNDING IMPACT:

None.

REGULATIONS AND FORMS AFFECTED:

CAPR 39-3, *Award of CAP Medals, Ribbons, and Certificates.*

CAP NATIONAL HEADQUARTERS' COMMENTS:

National Headquarters supports this agenda item.

COMMITTEE RECOMMENDATION:

The Cadet Programs committee and Cadet Advisory Council supports this agenda item.

NEC ACTION:

COL GLASGOW/NCR moved and COL GREENHUT/NER seconded that the NEC vote to table until Saturday, because additional specific recommendations would require extensive rewording of the proposal.

MOTION TO TABLE CARRIED WITH NO DISSENTING VOTES

BRIG GEN WHELESS/CV moved and COL STARR/PCR seconded that the NEC vote to bring this item from the table.

MOTION TO BRING FROM THE TABLE CARRIED WITH NO DISSENTING VOTES

COL GLASGOW/NCR moved and COL TODD/SWR seconded that the NEC vote to adopt the PROPOSED NEC ACTION of the amended agenda item.

MOTION CARRIED WITH NO DISSENTING VOTES

FOLLOW-ON ACTION: Implementation of policy, notification to the field, and change to CAPR 39-3.

AGENDA ITEM - 8

GC

Action

**SUBJECT: Standards for Removal, BoG
CAP/VC – Brig Gen Wheless, CAP/NLO – Col Palermo**

INFORMATION BACKGROUND:

The Board of Governors at their 3 June 2003 meeting asked the NEC to propose standards for action to remove a CAP designated member of the BoG. Specifically:

- 1) A process for review and consultation with the member of the BoG as to the NEC's rationale for its proposed action.
- 2) A process for advance consultation with the BoG explaining its intent and rationale therefore.
- 3) The principles and performance standards that would constitute acceptable grounds for removal.

PROPOSED NEC ACTION:

Procedures will be presented to the NEC.

ESTIMATED FUNDING IMPACT:

None.

REGULATIONS AND FORMS AFFECTED:

None.

CAP NATIONAL HEADQUARTERS' COMMENTS:

None.

COMMITTEE RECOMMENDATION:

None.

NEC ACTION:

BRIG GEN WHELESS/CV moved and COL TODD/SWR seconded that the NEC vote to forward the following statement and response to the Board of Governors' request:

"The National Executive Committee by majority vote may set a date not less than twenty days there from at which it will meet to review the continued fitness of a Civil Air Patrol Board of Governors at-large member to serve on the Board.

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“Notice of the date, time and location of the meeting shall be mailed to the member’s last known address by Registered or Certified United States Postal Service mail, return receipt requested.

“The notice shall notify the member that he/she may appear and address the issue or may submit written comments.

“The member shall be considered to have been given adequate notice upon mailing of the same.

“A copy of the notice shall be mailed to the Executive Director of Civil Air Patrol in his/her capacity as Secretary to the Board of Governors.

“No Civil Air Patrol at-large member may be removed from the Board of Governors except by 2/3ds or greater vote of the National Executive Committee membership.

“In the event of such a removal by the National Executive Committee a report shall be sent to the Executive Director of Civil Air Patrol in his/her capacity as Secretary to the Board of Governors setting forth the action taken and a summary of the reasons.”

MOTION CARRIED WITH NO DISSENTING VOTES

FOLLOW-ON ACTION: Inclusion in the 2 December 2003 Board of Governors agenda.

AGENDA ITEM - 9

LM

Action

**SUBJECT: Chaplain Promotion
CAP/Chaplain – Ch, Col Melancon**

INFORMATION BACKGROUND:

To resolve the ambiguity between the current CAPR 265-1 and 35-5 which allows chaplains to be waived in the educational (seminary) requirement and given appropriate rank.

Problem: 265-1, Section B 6c. 3 allows for waivers for the graduate study requirement when all other requirements are met and the individual has at least five years of ministry experience. 35-5 Section E, 25a, 1 states that the rank for those waived will be that of 1LT. At present some denominations are allowing their clergy to serve as chaplains in the military with graduate degrees in fields other than the historical seminary degrees: graduate degrees in Counseling being the most often recognized. The current CAP practice is to waive these applicants and grant them the rank of 1LT. Complaints have been received from individuals and denominations saying this is a bias against their clergy when it comes to rank. 35-5, E 25a2 says, "If the individual has both a college degree and a seminary degree or the equivalent of both", then the rank given is that of Captain. The ambiguity lies in who gets to decide what "equivalent of both" means. This is not defined in either regulation.

Since the Air Force gives the rank of 1Lt to all its in-coming chaplains (waivers are given for age & health issues only) and to take the Chaplain Service out of the business of granting two different ranks to those doing the same ministry, it is the position of the chaplain council to make all new chaplain appointments to the grade of 1 LT.

PROPOSED NEC ACTION:

To approve a change to CAPR 35-5, 265-1 to state all individuals appointed as Chaplains will receive initial grade of 1Lt.

ESTIMATED FUNDING IMPACT:

Cost of reprinting regulation.

REGULATIONS AND FORMS AFFECTED:

CAPR 35-5, CAP Reg 265-1, CAP Form 2

CAP NATIONAL HEADQUARTERS' COMMENTS:

The Air Force now appoints all newly commissioned Chaplains to the grade of first lieutenant. The policy would be consistent with our parent service but is not consistent with our other professional appointments promotion policy.

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COMMITTEE RECOMMENDATION:

None.

NEC ACTION:

CH, COL MELANCON/CCS moved and COL KAUFFMAN/CS seconded that the NEC vote to approve the PROPOSED NEC ACTION.

MOTION CARRIED WITH NO DISSENTING VOTES

FOLLOW-ON ACTION: Implementation of policy, notification to the field, and change to CAPR 35-5, CAPR 265-1, and CAP Form 2.

AGENDA ITEM - 10	CAP/CS	Action
SUBJECT: Civil Air Patrol Retirement Program CAP/CS – Col Kauffman		

INFORMATION BACKGROUND:

CAPR 35-1 states that a member in good standing with a minimum of 20 years service as a senior member is eligible to retire from Civil Air Patrol. Once retired, members will not actively participate in any capacity; however, retired members retain the last grade earned as an active member and may wear the current CAP uniform as guests at CAP functions.

It has recently come to our attention that there are no procedures to terminate or demote a retired member who may discredit Civil Air Patrol in some way. These individuals are able to continue to call themselves retired members and carry CAP grade.

PROPOSED NEC ACTION:

Request approval of a proposal to authorize the NEC to terminate or demote any retired member. Any member who becomes aware of inappropriate conduct by a retired member would request, through their chain of command, that the National IG investigate the action/incident and make a recommendation to the NEC for appropriate action. If a demotion or membership termination is approved by the NEC any appeal shall be heard by the MARB.

ESTIMATED FUNDING IMPACT:

None.

REGULATIONS AND FORMS AFFECTED:

CAPR 35-1, *Assignment and Duty Status*; CAPR 35-3, *Membership Termination*; CAPR 35-5, *CAP Officer and Noncommissioned Officer Appointments and Promotions*; CAPR 35-8 – MARB, *Membership Action Review Board*; CAPM 39-2, *CAP Membership*.

CAP NATIONAL HEADQUARTERS' COMMENTS:

None.

COMMITTEE RECOMMENDATION:

None.

NEC ACTION:

COL KAUFFMAN/CS moved and COL TODD/SWR seconded that the NEC vote to request National Headquarters to review the recommendations stated under PROPOSED NEC ACTION and draft a proposal for consideration by the National Board.

Following discussion, the above motion was withdrawn and the following motion was proposed:

COL WEBB/GLR moved and COL KAUFFMAN/CS seconded that the NEC vote to refer this item to the National Commander to appoint a committee to study the issue and make recommendations to the NEC.

MOTION CARRIED WITH NO DISSENTING VOTES

FOLLOW-ON ACTION: Appointment of committee by the National Commander. Inclusion in the May 2004 NEC Agenda.

AGENDA ITEM - 11	NCS	Action
SUBJECT: Committee Reports		
NCS – Col Kauffman		

Committees

1. Finance Committee

Col Angel

COL ANGEL/NFO briefed and distributed Finance Committee Meeting Minutes (See Atch 2), 13 November 2003, and Revised FY04 Corporate Budget, 13 November 2003.

The National Finance Committee Minutes were amended as follows:

- a. Change the last line of paragraph 3 to read: "Increase the cost of initial membership senior packets to \$10.00."
- b. Line 8 of paragraph 5, change the word "committee" to read: "working group."

COL ANGEL/NFO moved that the NEC vote to accept the revised FY04 corporate budget and forward to the December 2003 Board of Governors for approval.

MOTION CARRIED WITH NO DISSENTING VOTES

FOLLOW-ON ACTION: Inclusion in the 2 December 2003 BoG agenda.

2. Development Committee

Col Bonner

COL ROBINSON/RMR briefed the Development Committee report. She requested comments from NEC members on the proposed Chapter 4, CAP Distinctive Uniforms, CAPR 39-1.

3. Operations Committee

Col Hartman

COL HARTMAN distributed a memorandum addressed to Operations Committee members outlining how he envisions working with the committee. He also presented a slide briefing on the status of items that have been referred to the Operations Committee for action.

COL KAUFFMAN/CS moved and COL GLASS/MER seconded that the NEC vote to remove those items recommended for disapproval by the committee from further consideration and that they be CLOSED and removed from the further committee consideration.

MOTION CARRIED WITH NO DISSENTING VOTES

FOLLOW-ON ACTION: Approximately 18 items removed from the list.

4. Education & Training Committee

Col Convery

There was no report.

5. Strategic/Tactical Evaluation & Planning Committee

Brig Gen Anderson

STEP Business Plan—New Initiatives Proposals—was briefed under Agenda Item 15

6. Cadet Programs Committee

Col Glasgow

COL GLASGOW/NCR presented a slide briefing on Cadet Orientation Flights (See Atch 3).

COL GLASGOW/NCR moved that the NEC vote to proceed in concept with these accepted in-house procedures and continued work with the software engineer in identifying milestones and dates.

MOTION CARRIED WITH NO DISSENTING VOTES

FOLLOW-ON ACTION: Implementation of proposal.

COL GLASGOW/NCR also briefed on allocation of funds for cadet orientation rides with recommendations for budgeting for the remainder of the fiscal year under the new system.

7. Posse Comitatus Committee

Col Karton

COL PALERMO/NLO briefed that the National Legal Officers College studied Posse Comitatus and made some recommended legislative changes for when CAP acts as a corporation. Further discussion will determine how CAP can act as a corporation under AFD 10-8. He added that nothing has changed in terms of the recommendations that were submitted to the National Board and the National Board adopted, which says that ground personnel will never be used in a situation that would violate posse comitatus under any circumstances or do homeland security type missions.

8. Constitution & Bylaws Committee

Col Palermo

There was no report.

9. Infrastructure Committee

Col Courter

There was no report.

10. Transportation Committee

Col Groshong

Proposed Change to CAPR 77-1 was distributed and discussed (See Atch 4).

COL STARR/Interim PCR moved and COL GREENHUT/NER seconded that the NEC vote to adopt the committee report in concept and task National Headquarters to do a feasibility study and develop an implementation plan that would include funding and recommended funding sources.

MOTION CARRIED WITH NO DISSENTING VOTES

FOLLOW-ON ACTION: National Headquarters tasking and inclusion in the winter 2004 National Board agenda.

11. Corporate Aircraft Distribution Committee

Col Greenhut

COL GREENHUT presented a slide briefing concerning future twin-engine aircraft purchases. Col Greenhut's briefing recommended considering the Vulcanair twin aircraft if future taskings require increased use of twin type aircraft.

COL KAUFFMAN/CS moved and COL ANGEL/NFO seconded that the NEC vote to adopt the concept, as presented, and should it fall into place as far as an agreement with the United States Coast Guard and the tasking for associated missions, this would be the aircraft of choice for CAP in supporting this mission.

MOTION CARRIED WITH NO DISSENTING VOTES

AGENDA ITEM - 12

Action

SUBJECT: Old Business

1. ITEM: CAP Identification Card – Brought to the August 2003 National Board meeting (Agenda Item 12, page 26). The National Board voted not to establish an all-in-one identification card. However, the National Board agreed to study the concept of a plastic membership card with the possibility of printing a digital picture on the card. Staff was to research possible options, finalize details, and bring back suggestions to the November 2003 NEC meeting.

MS. PARKER/LMM presented a slide briefing (See Atch 5) with three possible options for a CAP identification card: (1) Keep the current membership card and wait for an answer from the Air Force for a DoD ID card, (2) Make a digital picture on a plastic card and print it at National headquarters, which would require the purchase of additional equipment, or (3) Adopt a paper-type laminated card that can be printed at any level approved by the NEC, even down to squadron level, that can use a digital or passport type picture that is taped on to it. Pictures of sample cards were shown.

COL PALERMO/NLO moved and COL GLASGOW/NCR seconded that the NEC vote to adopt in concept the card on the right (plastic card, as shown) with modifications to: (1) Delete the hole and signature, (2) Change to allow use of the combined logos, (3) Ensure that the information as to the data on it comes from HQ USAF/XOHA, (4) Add “USAF Auxiliary” under “Civil Air Patrol,” (5) Add a sticker on the front of the card with membership expiration date, and (6) Change the wording on the card as suggested and passed around the table, for uniformity with the Air Force card.

MOTION CARRIED WITH NO DISSENTING VOTES

2. ITEM: Agenda Item 15, CAP Aircraft minimum Altitude (NJ Wg/CC, Col Flynn) (Aug 2003 NB)

COL ANGEL/NFO moved and COL TODD/SWR seconded that the NEC vote to table this item indefinitely.

MOTION TO TABLE CARRIED WITH NO DISSENTING VOTES

FOLLOW-ON ACTION. Motion to table was for the purpose of allowing further staffing, with legal input, to develop a proposal to address the needs of the mission without potentially encouraging members to violate the FARs.

3. ITEM: Agenda Item 16, CAP Duty Day Requirements (NJ Wg/CC, Col Flynn) (Aug 2003 NB)

COL GREENHUT/NER moved and COL KAUFFMAN/CS seconded that the NEC vote to adopt the PROPOSED NATIONAL BOARD ACTION

MOTION FAILED WITH NO ASSENTING VOTES

FOR THE RECORD both the mover and seconded of the motion voted against this motion.

4. ITEM: Agenda Item 17, Certification Boards (SD Wg/CC, Col Donley) (Aug 2003 NB)

COL GLASGOW/NCR moved and COL KAUFFMAN/CS seconded that the NEC vote to adopt the PROPOSED NATIONAL BOARD ACTION.

MOTION FAILED WITH NO ASSENTING VOTES

FOR THE RECORD both the mover and seconder of the motion voted against this motion.

FOLLOW-ON ACTION. Col Glasgow recommended that the National Commander challenge the Operations Committee with reviewing this subject matter or that the ES curriculum be changed in an appropriate manner.

COL WEBB/GLR moved and COL ANGEL/NFO seconded that the NEC vote to reconsider the previous vote, in view of the added COMMITTEE RECOMMENDATION.

FOR THE RECORD both the mover and seconder of the original motion voted with the prevailing side in the last action taken.

MOTION CARRIED

COL GLASS/MER moved and COL PALERMO/NLO seconded that the NEC vote to table this agenda item and send to committee

MOTION CARRIED

FOLLOW-ON ACTION. Referral to the Operations Committee with tasking to make a specific recommendation for the regulation change.

AGENDA ITEM - 13

Action

SUBJECT: Additional New Business

1. ITEM: National Check Pilot Standardization Course

COL SCHAMEL briefed and distributed a National Check Pilot Standardization Course Briefing paper and a National Check Pilot Standardization Course Project Officer Handbook. Col Schamel recommended that the NEC take a look at the program and send back comments.

ACTION: The National Commander directed that this proposal be referred to the Operations Committee for further input and evaluation prior to NEC/National Board consideration.

FOLLOW-ON ACTION: Inclusion in the May 2004 NEC agenda.

2. ITEM: MOUs from a CAP Perspective

BRIG GEN WHELESS/CV expressed concerns about the status of MOUs, MOAs, LOAs, and other issues. He wanted to put these concerns on the table so that policymakers can come up with a wise decision and position for Civil Air Patrol. He stated that part of these concerns resulted from information received from the Air Force about the information that was contemplated for an MOU template and the process.

COL PALERMO/NLO compiled a list and presented a slide briefing outlining the issues that may need to be addressed.

ACTION: Maj Gen Bowling asked NLO, CV, GC, and one or two other people meet with Col Vogt, CAP-USAF/JA, and General Counsel of the Air Force to fast track some of the issues that need to be resolved.

3. ITEM: Counterdrug Officer of the Year Award

COL PALERMO/NLO moved and COL WEBB/GLR seconded that the NEC vote to create the Norm Edwards Counterdrug Officer of the Year award to be given each year. The HQ CAP/DO is designated to submit nominees to the National Commander for selection.

MOTION CARRIED WITH NO DISSENTING VOTES

FOLLOW-ON ACTION: National Headquarters development of criteria for nominating members for this award.

4. ITEM: Briefing – Demonstration

Heather Wilson-DeSpain and Lindsey Roth, Interactive Audience Response, presented a demonstration of a communications product that could be used to record votes during Civil Air Patrol board meetings.

5. ITEM: Aircrew Decorations (See Atch 6)

COL STARR/Interim PCR moved and COL GLASGOW/NCR seconded that the NEC vote to adopt the PROPOSED NEC ACTION

MOTION CARRIED WITH NO DISSENTING VOTES

6. ITEM: USAF Recruiting (See Atch 7)

COL STARR/Interim PCR moved the PROPOSED NEC ACTION

MOTION DIED FOR LACK OF A SECOND

FOR THE RECORD, the Commander CAP-USAF offered to work with the Executive Director in pursuing initiatives with the USAF Recruiting Service.

AGENDA ITEM - 14

CAP-USAF

Information

**SUBJECT: CAP-USAF Update
CAP-USAF CC – Col Vogt**

INFORMATION BACKGROUND:

Col Vogt introduced Col Hodgkins who briefed the NEC on the new AFPD 10-8 and Lt Col Mathis who briefed the NEC on the draft 1st AF-CAP-UASF/CAP MOU (See Atch 8).

AGENDA ITEM - 15

EX

Information

**SUBJECT: HQ CAP Update
HQ CAP/EX – Mr. Allenback**

INFORMATION BACKGROUND:

MR. ALLENBACK/EX presented a slide briefing updating the NEC on current issues that HQ staff are involved in (See Atch 9).

STEP Business Plan—New Initiatives Proposals—was distributed.

COL SALVADOR/DO presented a slide briefing (See Atch 10).

COL GREENHUT/NER moved and COL TODD/SWR seconded that the NEC vote to approve the purchase of nine additional GA-8 aircraft, which would bring our total to 15 upon delivery of the last one. (That would be one for each of the HSI installations).

MOTION CARRIED WITH NO DISSENTING VOTES

FOLLOW-ON ACTION: National Headquarters purchase of aircraft.

COL GREENHUT/NER moved and COL PALERMO/NLO seconded that the NEC vote to purchase 10 install kits—one for the Congressional Squadron, one for the Alaska wing, and one additional for each region, which would give each region two complete systems with the install kit.

MOTION CARRIED WITH NO DISSENTING VOTES

FOLLOW-ON ACTION: National Headquarters purchase of install kits

AGENDA ITEM - 16

CAP/CS

Information

**SUBJECT: C-Map Aviation
CAP/CS – Col Kauffman**

INFORMATION BACKGROUND:

MR. POIRIER presented a slide briefing and demonstrations of his company's EKP3C—electronic knee pack that was developed specifically for search and rescue. He explained that C-Map Aviation is a world-renowned digitizer of marine maps and recently became involved in avionics. For further information he provided a telephone number and a web site: 800-363-2627; <http://aviation.c-map.com>.

MR. POIRIER inquired as to the recommended way for his company to pursue this issue with Civil Air Patrol.

The National Commander responded that the presentation was made to the appropriate group. He added that the next step would be discussions by the NEC/NB with input from the Operations Committee and HQ CAP-USAF staff.

FOLLOW-ON ACTION. Referral to the Operations Committee and staffing at National Headquarters/HQ CAP-USAF.

AGENDA ITEM - 17

CAP/CS

Information

**SUBJECT: Cessna Cockpit Configuration Proposal
CAP/CS – Col Kauffman**

INFORMATION BACKGROUND:

MR. JIM APLING presented a slide briefing on the Garmin G-1000 avionics system and demonstrated how the equipment works.

MR. BRUCE JONES, Cessna Aircraft, pointed out that the advantages to CAP for using this advanced avionics system would be increased capability, safety, reliability, and redundancy.

ACTION: Col Kauffman/CS, Col Angel/NFO, and Col Greenhut/NER will work with Mr. Pat Sullivan, Cessna Aircraft Company, to work out a process of exchanging technical information on CAP orders for Cessna aircraft prior to procurement.

ADMINISTRATIVE/ ANNOUNCEMENTS/ APPRECIATION

1. Chaplain Lt Col Rivers made a presentation to Maj Gen Bowling in appreciation for the National Commander's support of the Chaplains Service Institute at Kessler Air Force Base, MS. Chaplain, Col, Melancon also expressed appreciation to the region commanders for facilitating this first strategic planning institute in the history of the CAP Chaplains Service.
2. Maj Gen Bowling announced the death of Col James H. Tazelaar (b: 9 Dec 1949—d: 12 Nov 2003), who served as Delaware Wing Commander, 27 Jan 1993 – 8 Jan 1997. Gen Bowling asked for a moment of silence and Ch, Col, Melancon said a special prayer for Col Tazelaar at 1:00 PM, Saturday, 15 November 2003—the time of interment.

**THE NEC WENT INTO EXECUTIVE SESSION 1750 – 1809,
SATURDAY, 15 NOVEMBER 2003**

**THE NEC ADJOURNED AT 1815, SATURDAY, 15 NOVEMBER
2003.**